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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

JEFFREY TABRON,

Defendant and Appellant.

A147246

(Alameda County  
Super. Ct. No. 172865B)

Appellant Jeffrey Tabron appeals from a judgment following his no contest plea to one count of voluntary manslaughter (Pen. Code, § 192, subd. (a)).<sup>1</sup> Appellant's counsel has raised no issue on appeal and asks this court for an independent review of the record to determine whether there are any arguable issues. (*Anders v. California* (1967) 386 U.S. 738; *People v. Wende* (1979) 25 Cal.3d 436.) Appellate counsel advised appellant of his right to file a supplementary brief to bring to this court's attention any issue he believes deserves review. (*People v. Kelly* (2006) 40 Cal.4th 106.) Appellant has not filed such a brief. We have reviewed the record, find no arguable issues, and affirm.

BACKGROUND

In May 2014, an amended information charged appellant and three co-defendants with two counts of murder (§ 187, subd. (a)). The information also alleged, with respect to appellant, that a principal was armed with a firearm during the commission of the offenses (§ 12022, subd. (a)(1)); appellant had been convicted of a prior strike (§ 667,

<sup>1</sup> All undesignated section references are to the Penal Code.

subd. (e)(1)); and appellant had a prior conviction for which he had served a prison term (§ 667.5, subd. (b)). On the same day the amended information was filed, the trial court granted appellant's motion to sever his case from that of his co-defendants.

In February 2015, appellant pled no contest to voluntary manslaughter. The plea agreement provided appellant would be sentenced to three years in state prison and the remaining counts and allegations against appellant would be dismissed. In October 2015, the trial court sentenced appellant to a three-year prison term.

Appellant's notice of appeal indicates he challenges the sentence imposed and the validity of his plea.<sup>2</sup> The trial court denied his request for a certificate of probable cause.

### DISCUSSION

Because appellant pled no contest to the offense and did not file a motion to suppress below, the scope of the reviewable issues is restricted to matters based on constitutional, jurisdictional, or other grounds going to the legality of the proceedings leading to the plea, and post-plea sentencing issues. (*People v. DeVaughan* (1977) 18 Cal.3d 889, 895–896; *People v. Shelton* (2006) 37 Cal.4th 759, 766.)

Appellant was adequately represented by legal counsel throughout the proceedings. The trial court described the constitutional rights he was waiving by entering a guilty plea and advised him of the consequences of the plea. The trial court found appellant's plea was knowing and voluntary and no indication to the contrary appears in the record.

The sentence was consistent with the plea agreement. The sentencing credits, fines, and fees were proper.<sup>3</sup> The denial of a certificate of probable cause was not in error.

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<sup>2</sup> Although the notice of appeal also indicates he is appealing from the denial of a motion to suppress, no such motion was filed below.

<sup>3</sup> Appellant has forfeited any argument regarding his ability to pay the probation investigation fee (§ 1203.1b) by failing to object below. (*People v. Trujillo* (2015) 60 Cal.4th 850, 858–859 [finding forfeiture based on failure to object in the trial court to § 1203.1b fee].)

## DISPOSITION

The judgment is affirmed.

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SIMONS, J.

We concur.

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JONES, P.J.

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BRUINIERS, J.

(A147246)

